Retraction from earlier stand on use of POTA

4886. SHRI GAYA SINGH :
SHRI AMAR SINGH :
SHRI V.V. RAGHAVAN :
SHRI P. PRABHAKAR REDDY :
SHRI ABU ASIM AZMI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Government have filed an amended counter affidavit in the Supreme Court retracting from its earlier stand that the use of POTA against Mr. Vaiko was justified; and

(b) if so, the details and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) and (b) In case of the Writ Petition filed in the Supreme Court by Shri Vaiko, the Central Government filed an additional affidavit clarifying that while the Government of India fully supports the constitutionality of the Prevention of Terrorism Act, 2002 (POTA), it was of the view that the speech delivered by Shri Vaiko on 29.6.2001, if properly interpreted and read in the entire context of the speech and the surrounding circumstances did not attract the provisions of Section 21 of POTA.

Crimes on the Indian Railways

4887. SHRI LALIT SURI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of cases of theft, robberies, molestation and rape of women reported during the year 2002-03 so far on the Indian Railways, Zone-wise; and

(b) the steps taken/proposed to be taken to improve the law and order situation on railways, particularly in the more vulnerable sections?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : (a) As per the information furnished by National Crime Records Bureau the number of robbery cases reported in running trains during the year 2002 was 121 and in the year, 2003 (upto February) is nil. The number of theft cases reported in railways during the year 2001 was 15,251 and the information for the year 2002-2003 is not available. The information on the cases relating to molestation and rape of women in running trains and zone-wise information on the incidence of crimes in running trains is not maintained centrally.

(b) 'Police' and 'Public Order' are State subjects as per the Seventh Schedule to the Constitution of India. The detection, registration, investigation and prevention of crimes in trains is the responsibility of the State Governments. However, the Ministry of Home Affairs have issued guidelines to the State